

them, provisions excluding men of this class from the exercise of the elective franchise? The Constitution of the State of New York, which was eulogized as containing all the modern improvements in the science of government, expressly excludes them. He hoped that the Convention would not permit such persons to share in the exercise of the right of suffrage.

Mr. STEWART, of Caroline, briefly replied, explaining the reasons which had induced him to move to strike out this clause. His object was to assimilate the amendment to that which had been offered by the gentleman from Queen Anne's; not that he intended to advocate the crimes themselves, but because he felt a sympathy for fallen humanity, and was averse to putting an indelible mark of infamy on convicts. There was no distinction made between an individual sentenced to two years imprisonment, and one for fifteen. None between the highway robber, and the man guilty of a less crime. The public will set a proper estimate upon the character of these individuals. He never heard any complaining because these individuals voted. The gentleman from Somerset, (Mr. CRISFIELD,) had asked whether we, who support this amendment, would be willing to go, arm in arm, to the polls with men who had been convicted of crime, and had just left the penitentiary? He would ask the gentleman, if many persons were not discarded from society, who had never fallen into such crimes, while many who had been reformed by punishment, had become valuable members of the community. In classifying offences, we ought to look at their effect on the community, and thus to estimate the degree of infamy which should attach to an offender. What is the object of punishment? It is in part, to check the propensity of the offender to commit the offence of which he has been convicted, and also to prevent others from its commission. He had known individuals who had served in the penitentiary one year, and had been in the Legislature the next; and he had been himself professionally employed in a case where a man who had been convicted of a crime and who had served his time in the penitentiary, excepting for one week, and who desired to be informed whether he had not a right to vote, and when told that he had, said "he felt as a freeman." That man, he believed, was a good citizen. [Here the hour of two o'clock arrived when all debate was to stop by resolution.]

The CHAIRMAN interposed and announced that the hour had arrived, by which, under the order of the Convention, the general debate must terminate.

Mr. DORSEY said, in explanation of the amendment, he had indicated that the object of punishment was to confine an individual who had committed crime, in a place where he could repent and reform. And unless the Convention intended to fly in the face of all the Legislation of the State, they were bound, if these individuals afterwards became good citizens, to receive and treat them as such, and to let that which had passed be forgotten. If time allowed, he could state many signal instances of this reformation.

Mr. SOLLERS repeated what he had before advanced in support of his amendment. He thought it extraordinary that the gentleman from Anne Arundel, (Mr. DORSEY,) who was willing to punish bribery at elections, by disfranchisement forever, would be willing to pardon criminals of this kind, and receive them back into society.

Mr. DORSEY said he would explain to the gentleman from Calvert. The one offence strikes at the root of our institutions, while the other injures society only in a limited degree, and is therefore, comparatively light, and he may have come out of the penitentiary, a place for repentance, a reformed man.

Mr. SOLLERS resumed. The gentleman from Anne Arundel says, the penitentiary is a place to repent in. Why then would he not send the man there who gives or receives a bribe, and give him an opportunity to repent? He could not see why the gentleman from Anne Arundel would give his arm to the one at the polls, and proscribe the other for ever. But if a few persons come out of the penitentiary reformed, it is very well known that nine-tenths of those who have been there, have come out worse than when they went in.

Some conversation followed on points of order.

Mr. SPENCER withdrew his substitute to enable the question to be taken on the first amendment of Mr. SOLLERS.

Mr. STEWART of Caroline, renewed the amendment of Mr. SPENCER, and made a brief explanation, in reply to Mr. SOLLERS, stating the reason which induced him to vote for so heavy a penalty in bribery. The punishment of other crimes was fixed by law, and this would be to add one greater of itself, than that now imposed by the act of Assembly.

The question was taken on the first branch of the amendment of Mr. SOLLERS.

And it was agreed to.

The question recurring on the second branch of the amendment,

Mr. SPENCER moved to amend it by striking out the words "be pardoned by the Executive," and inserting "unless the restriction is taken off by the Governor."

Mr. S. explained the operation of the amendment.

Mr. TUCK submitted to the Chair, that the remarks of both the gentlemen who had last spoken were out of order.

Some conversation followed as to the construction of the rule; after which, the amendment of Mr. SPENCER was rejected.

And the amendment of Mr. SOLLERS was agreed to.

The question then recurred on the amendment as offered by Mr. SPENCER, but withdrawn by him, and renewed by Mr. STEWART, of Caroline.

The amendment was rejected.

Mr. DORSEY asked, that if in order, the amendments he had offered, might be read:

The first amendment was read as follows:

Strike out from the second section, in the first line, after the word "give" the words "or offer to give."